IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1591 OF 2005
IN
SUMMONS FOR JUDGMENT NO. 690 OF 2003
IN
SUMMARY SUIT NO. 1101 OF 2003

Rati Siganporia & Anr. ... PLAINTIFFS

V/s.

Rajshree Printing Services & Anr... DEFENDANTS

Ms. Tawde i/b. M.V. Kini for the plaintiffs.
Mr. Hetal Patel for the defendants.

CORAM : ANOOP V. MOHTA, J.
DATED : 24th March, 2006

P.C.

. Heard.

2. This Notice of Motion has been taken out by the plaintiffs to set aside order of dismissal dated 12th April, 2005 whereby Summons for Judgment No. 690 of 2003 filed by the plaintiff was dismissed.

3. Considering averments made in Para 9, I am inclined to grant this Notice of Motion in terms of prayer clause (a), however, it would be subject to cost of Rs. 1000/- to be deposited within two weeks as a condition precedent.

clause (a) -

The Hon’ble Court may set aside the Order passed by His Lordship Mr. Justice D.G. Karnik on 12.04.2005 dismissing the Summons for Judgment No. 690/2003 and the same Summons for Judgment may be restored into file and may be heard on merit;

4. This Notice of Motion is disposed of accordingly.

[ANOOP V. MOHTA, J.]